C.E. 3002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 3081 OF 2005

PETITIONER (S):

1. Pramod Kumar Singh, S/o- Shri Devnath Singh, Aged About- 21 Years, R/o- Near Bus Stand Village-Janakapur, Distt. –Koria (C.G.)

2. Ajay Kumar Singh, S/o- Shri Kundan Lal Singh, Aged About- 21 Years, R/o- Near High School Village-Janakapur,Distt.–Koria(C.G.)

3. Smt. Santosh Singh, W/o- Shri Nagendra Singh, Aged About- 25 Years, R/o- Near Primary School, Village-Janakapur,Distt. –Koria (C.G.)

F.R. No. 3194/05 Presented by Sri Vinay Pandey dated 21/7/05

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh
Through it's Secretary
Department of Education,
D.K.S. Bhawan Raipur (C.G.)

2. State of Chhattisgarh
Through it's Secretary
Department of Panchayat,
D.K.S. Bhawan Raipur (C.G.)

3. Collector
Distt-Koria (C.G.)

4. District Education Officer
Distt-Koria (C.G.)

5. Chief Executive Officer
Janpad Panchayat, Bharatpur
Distt-Koria (C.G.)

6. Janpad Panchayat,
Through It's President
Janpad Panchayat, Bharatpur
Distt-Koria (C.G.)

(2)

(4)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC. OR DIRECTION / ORDER IN THE LIKE NATURE.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(72)

मामला क्रमांक ..... W.P. 3081 ..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

22.7.2005

Shri Vinay Pandey, counsel for the petitioners.

Shri Akhil Agrawal, Panel Lawyer for the State/respondents No. 1 to 4.

I.A.No.6007/2005 :-

This is an application of urgent hearing. The matter is taken up on Board.

The application stands disposed of.

W.P.No.3081/2005 :-

Heard.

By this writ petition, filed under Article 226/227 of the Constitution of India, the petitioners have prayed for issuance of writ of certiorari for quashing the selection list No. 18/Shiksha/Ja.Pa./2005 dated 4.6.2005 by which number of candidates have been selected as Shiksha Karmi Grade-III. The challenge has been made on the ground of procedural fault in the process of selection. Learned counsel for the petitioners submits that the petitioners would have been selected on the said post but, due to the fault in the selection procedure, they could not be selected. They are claiming the selection, saying that they have the better candidatures than the persons selected by the concerned authorities through the aforesaid process of selection.

It is submitted by learned counsel for the petitioners that the selection is governed by the provisions of Madhya Pradesh(Chhattisgarh) Panchayat Shiksha Karmis(Recruitment and Conditions of Services) Rules, 1997.

SP

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

(73)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
रुपया : पत्र :	I have gone through the Rules. Rule 12 of the aforesaid Rules provides for an appeal against the order passed under these Rules. Learned counsel for the petitioners also submits that there is a provision of appeal in the Rules itself and in this manner, an alternative remedy is available to the petitioners. Considering the facts and circumstances of the case and considering the grounds raised by the petitioners, I am of the opinion that the alternative remedy available to the petitioners is efficacious to decide the disputes raised by them by way of this writ petition, therefore, I am not inclined to entertain this writ petition at this stage. If so desired, the petitioners may avail the remedy of appeal provided under Rule 12 of the aforesaid Rules. It is observed that if such an appeal is filed by the petitioners before the appellate authority, the appellate authority shall dispose of the appeal within a period of 3 months from the date of filing of the appeal before him. With the aforesaid observations, this petition is finally disposed of at this stage. Consequently, M.W.P.No. 2576/2005 stands disposed of. Certified copy as per rules. **Sd/-** **Sunil Kumar Sinha** **Judge**	